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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/801,554	03/17/2004	Kazuaki Shingo	10517/220	3477
23838	7590	06/16/2006	EXAMINER	
KENYON & KENYON LLP 1500 K STREET N.W. SUITE 700 WASHINGTON, DC 20005			PHAN, HAU VAN	
			ART UNIT	PAPER NUMBER
			3618	

DATE MAILED: 06/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/801,554	<b>Applicant(s)</b> SHINGO ET AL.	
	<b>Examiner</b> Hau V Phan	<b>Art Unit</b> 3618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 28 April 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 3-38 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 3-12, 15-26 and 29-36 is/are rejected.
- 7) ☒ Claim(s) 13-14, 27-28, 37-38 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |                                                                                                                                                      |                                                                                         |
|------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                                                          | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                                                 | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>2/28/06/4/14/06</u> . | 6) <input type="checkbox"/> Other: _____                                                |

## **DETAILED ACTION**

### ***Acknowledgment***

1. The amendment filed on 4/26/2006 has been entered.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 16 and 29 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 16 and 29, the phrase "wherein the securing unit comprises at least one of the engine, an engine accessory fixed to the engine, the transmission and a transmission accessory fixed to the transmission" is not clear, because the vehicle comprising an engine not the securing unit comprises at least one of the engine and not sure how many engine and transmission the vehicle have.

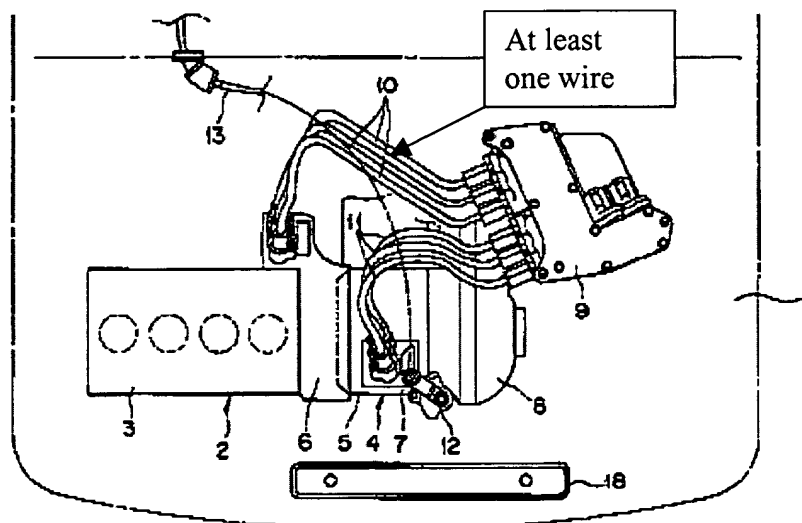
### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 3-12, 15-26, 29-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kashiwase et al. (JP 11278121) in view of Denton (6,710,249).**

Kashiwase et al. in figure 1, disclose a hybrid vehicle, comprising an engine, which is mounted in an engine room, and serves as a driving source, a transmission, which is disposed adjacent to the engine, and incorporates at least one electric motor, which serves as a driving motor. Kashiwase et al. also disclose an inverter, which is disposed in the engine room and at least one high voltage wire (10), which is routed between the engine and a passenger cabin of the hybrid vehicle, and connects the inverter and the electric motor incorporated in the transmission. Kashiwase et al. fail to show a middle portion of the high voltage wire secured to a securing unit and the high voltage wires are bundled together and the high voltage wires are secured to the securing unit at the position where the high voltage wires are bundled together.



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Denton in figures 1-6, teaches a wire separator, which can be used on a vehicle comprising an inner member (102) and an outer member (104). The inner member has gaps (120) to allow wires to be inserted into apertures (106). The wire separator can be positioned at any location along the length of the wiring configuration and the wires can be bundled together by the outer member. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the hybrid vehicle of Kashiwase et al. with the addition of a wire separator as taught by Denton in order to keep a safe distance for the wires from the hot components.

Regarding claim 2, Kashiwase et al. in combination with Denton teach a middle portion of the high voltage wire is secured to a securing unit.

Regarding claim 3, Kashiwase et al. disclose the securing unit comprising at least one of accessory fixed to the engine, the transmission, and a transmission accessory fixed to the transmission.

Regarding claims 4, 18 and 30, Kashiwase et al. disclose the engine accessory, which is an intake pipe (not number) for introducing air to the engine.

Regarding claims 5, 19 and 31, Kashiwase et al. disclose the high voltage wire, which can be secured to the engine and the intake pipe by holders.

Regarding claims 6, 20, Kashiwase et al. disclose the high voltage wire including a restricted portion, which is secured to the securing unit whereby movement thereof is restricted, and a non-restricted portion, which is not secured to the securing unit so that movement thereof is not restricted.

Regarding claims 7, 21, Kashiwase et al. disclose the high voltage wire, which is routed such that the restricted portion thereof is positioned closer to the engine and transmission side, and the non-restricted portion thereof is positioned closer to the inverter side, the inverter being fixed to a vehicle body.

Regarding claims 8, 22, 32, Kashiwase et al. disclose the high voltage wire, which is secured to the securing unit at a location that is apart from an exhaust pipe of the engine.

Regarding claims 9, 23, 33, Kashiwase et al. disclose the exhaust pipe, which is disposed toward one of the lateral sides of the vehicle from the engine.

Regarding claims 10, 24 and 34, Kashiwase et al. disclose the engine is a V-type engine that includes a pair of banks in which a plurality of cylinders are arranged in a vehicle longitudinal direction and an exhaust pipe is disposed toward one of the lateral sides of the vehicle from the respective banks, and the high voltage wire is routed near and above the transmission (see figure 1).

Regarding claims 25 and 35, Kashiwase et al. in combination with Denton disclose the inverter, which is connected with the electric motor by a plurality of high voltage wires, and respective high voltage wires are secured to the securing unit in a bundle.

Regarding claims 12, 26 and 36, Kashiwase et al. in combination with Denton disclose a securing member secures the high voltage wire to the securing unit, which is provided integrally with the securing unit.

***Allowable Subject Matter***

6. Claims 13-14, 27-28, 37-38 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

***Response to Arguments***

7. Applicant's arguments with respect to claims 3-38 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

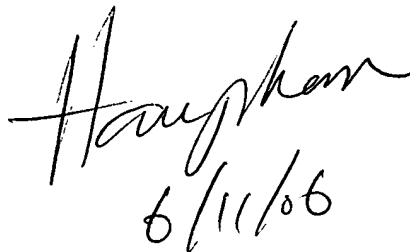
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hau V Phan whose telephone number is 571-272-6696. The examiner can normally be reached on 7:30AM-4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Ellis can be reached on 571-272-6914. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hau V Phan  
Primary Examiner  
Art Unit 3618



6/11/06